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2661

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TRANSMITTAL FORM <i>(to be used for all correspondence during pendency of filed application)</i>	0001/PTO Rev. 10/95	U.S. Department of Commerce Patent and Trademark Office	Application Number	09/633,575
			Filing Date	August 7, 2000
			First Named Inventor	Pawan Goyal
			Group Art Unit Number	2661
			Examiner Name	Ian N. Moore
Total Number of Pages in This Submission	5*	Attorney Docket Number	21816-04466	

ENCLOSURES (check all that apply)

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REMARKS: *Total Number of Pages in This Submission does not include cited references.

SIGNATURE OF ATTORNEY OR AGENT

Signature:	<i>Sabra-Anne Truesdale</i>		
Attorney/Reg. No.:	Sabra-Anne Truesdale/Reg. No. P-55,687	Dated:	1-22-04

CERTIFICATE OF MAILING

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICANT: Pawan Goyal *et al.*
APPLICATION NO.: 09/633,575
FILING DATE: August 7, 2000
TITLE: Fairly Partitioning Resources While Limiting The Maximum Fair Share
EXAMINER: Ian N. Moore
GROUP ART UNIT: 2661
ATTY. DKT. NO.: 21816-04466

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By: Sabra-Anne Truesdale
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INFORMATION DISCLOSURE STATEMENT
Under 37 CFR §§ 1.56 and 1.97-98

SIR:

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is modified form PTO/SB/08A listing references for consideration by the Examiner. Enclosed is a copy of each listed reference that may be material to the examination of this application, and for which there may be a duty to disclose.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

This Information Disclosure Statement is being filed:

- ☐ within three months of the filing date of the application, or date of entry into the national stage of an international application, or before the mailing date of a first office action on the merits, whichever event last occurred;

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- ☐ before the mailing of a first official action after the filing of a request for continued examination (RCE) under 37 CFR § 1.114;
- ☒ after three months of the filing date of this national application or the date of entry of the national stage in an international application, or after the mailing date of the first official action on the merits, whichever event last occurred, but before the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; or (2) an action that otherwise closes prosecution in the application, and:
- ☐ attached hereto is the fee set forth under 37 CFR § 1.17(p) for submission of this Information Disclosure Statement under 37 CFR § 1.97(c); OR
- ☒ Applicant certifies pursuant to 37 CFR § 1.97(e) that:
- ☐ each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR
- ☒ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement;
- ☐ on or before the payment of the issue fee but after the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; (2) a notice of allowance under 37 CFR § 1.311; or (3) an action that otherwise closes prosecution in the application, and:
- ☐ Applicant certifies pursuant to 37 CFR § 1.97(e) that:
- ☐ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; or
- ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a

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foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement; AND

- ☐ attached hereto is the fee set forth under 37 CFR §1.17(p) for submission of this Information Disclosure Statement under 37 CFR. § 1.97(c); OR
- ☐ after the payment of the issue fee. Applicant requests that the information contained in this Information Disclosure Statement be placed in the file according to 37 CFR § 1.97(i), although the information may not be considered by the USPTO.
- ☐ This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application No. APPLICATION NO., filed on DATE FILED, and the references cited therein are hereby referenced, but are not required to be provided in this application under 37 CFR § 1.98(d).
- ☐ Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not received by any individual designated in 37 CFR § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement. 37 CFR § 1.704(d).
- ☒ Applicant submits that no fee is required for the consideration of this Information Disclosure Statement.

Consideration of the listed references and favorable action are solicited.

Respectfully submitted,
PAWAN GOYAL ET AL.

Dated: 1-22-04

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Substitute for form 1449A/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Application No.	09/633,575
				Filing Date	August 7, 2000
				First Named Inventor	Pawan Goyal
				Art Unit	2661
				Examiner Name	Ian N. Moore
Sheet	1	of	1	Attorney Docket Number	21816-04466

U.S. PATENT DOCUMENTS				
Examiner Initials*	Cite No. ¹	Document No. Number – Kind Code ² (if known)	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
	A1	US-5,325,530	06-28-1994	Mohrmann
	A2	US-5,752,003	05-12-1998	Hart
	A3	US-5,892,968	04-06-1999	Iwasaki et al.
	A4	US-6,016,318	01-18-2000	Tomoike
	A5	US-6,047,325	04-04-2000	Jain et al.
	A6	US-6,078,957	06-20-2000	Adelman et al.
	A7	US-6,101,543	08-08-2000	Alden et al.
	A8	US-6,269,404 B1	07-31-2001	Hart et al.
	A9	US-6,389,448 B1	05-14-2002	Primak et al.
	A10	US-6,425,003 B1	07-23-2002	Herzog et al.
	A11	US-6,430,622 B1	08-06-2002	Aiken, Jr. et al.
	A12	US-6,463,459 B1	10-08-2002	Orr et al.
	A13	US-6,470,398	10-22-2002	Zargham et al.
	A14	US-6,061,349	05-09-2000	Coile et al.

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ – Number ⁴ Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T ⁶

OTHER REFERENCES – NON-PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ⁶

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609.
Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.